



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

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## **HB2419: moving violations; injured pedestrians; penalties**

**Sponsor: Representative Gress, LD 4**

**Committee on Transportation & Infrastructure**

### **Overview**

Includes educational information relating to the rights of pedestrians, motorcycle operators and bicycle operators in the traffic school educational sessions for a person causing a moving violation. Makes a person guilty of a class 5 felony if a moving violation results in the death of a pedestrian, motorcycle operator or bicyclist.

### **History**

A person is guilty of causing serious physical injury or death by a moving violation if the person violates applicable traffic law and the violation results in an accident-causing serious physical injury or death to another person. A court must report a conviction of a moving violation to The Arizona Department of Transportation (ADOT). The court must:

- 1) for a first violation, direct ADOT to suspend the person's driving privilege or restrict the person's driving privilege for at least 90 days and not more than 180 days if the violation results in a serious physical injury and at least 180 days and not more than one year if the violation results in death; and
- 2) for a second or subsequent violation within a period of 36 months, direct ADOT to suspend the person's driving privileges for 180 days if the violation results in a serious physical injury or one year if the violation results in death.

A person guilty of causing serious physical injury or death by a moving violation must attend and complete traffic survival school educational sessions designed to improve the safety and habits of drivers that is approved by ADOT. A person who violates applicable traffic law is guilty of a class 1 misdemeanor ([A.R.S. § 28-672](#)).

### **Provisions**

1. Makes a person guilty of a class 5 felony and subject to a fine of at least \$5,000 and 180 days of house arrest if a moving violation results in the death of a pedestrian, motorcycle operator or bicyclist. (Sec. 1)
2. Makes a person guilty of a class 6 felony and subject to a fine of at least \$1,500 and 30 days of house arrest if a moving violation results in serious physical injury to a pedestrian, motorcycle operator or bicyclist. (Sec. 1)
3. Requires traffic survival school educational sessions designed to improve the safety and habits of drivers to include educational information relating to the rights of pedestrians, motorcycle operators and bicycle operators. (Sec. 1)
4. Requires ADOT to suspend or restrict a person's driving privileges for at least one year for a first-time moving violation if the violation results in the death of a pedestrian, motorcycle operator or bicyclist. (Sec. 1)

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| <input type="checkbox"/> Prop 105 (45 votes) | <input type="checkbox"/> Prop 108 (40 votes) | <input type="checkbox"/> Emergency (40 votes) | <input type="checkbox"/> Fiscal Note |
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5. Directs ADOT to suspend a person's driving privileges for at least 18 months for a second or subsequent moving violation within a period of 36 months if the moving violation results in the death of a pedestrian, motorcycle operator or bicyclist. (Sec. 1)
6. States, as session law, the act may be cited as *Kong's Law*. (Sec. 2)
7. Makes technical and conforming changes. (Sec. 1)